



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SK/JAM/AFM
F. #2016R02228

*271 Cadman Plaza East
Brooklyn, New York 11201*

April 14, 2021

By Email and ECF

The Honorable Eric R. Komitee
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Aleksandr Zhukov
Criminal Docket No. 18-633 (S-1) (EK)

Dear Judge Komitee:

The government respectfully submits this letter in connection with the motions in limine argument scheduled for Friday, April 16, 2021, at 12:00 p.m. For the convenience of the Court and the parties, the government sets forth below the motions in limine that are currently pending. The government also respectfully requests that Friday's argument include a discussion of the defendant's motion to suppress—although the Court had intended to hold this discussion earlier today after the completion of testimony at the suppression hearing, that did not occur due to MDC's unavailability.

- The defendant's motions to preclude from evidence his confession that he is the "king of fraud" and his iPhone note describing the plan for his operation as a "machine gun schema." See ECF Nos. 200, 210, 217.
- The government's motions to admit evidence of the defendant's other acts pursuant to Rule 404(b) as set forth in the Crawling Chat, the Money Laundering Chat, and the Bot Farm Chat. See ECF Nos. 94, 108, 115, 136, 160, 187.
- The government's motions to admit statements of the defendant's co-conspirators made in furtherance of the conspiracy, including

communications over an online task management platform, through email, and on LinkedIn. See ECF Nos. 94, 108, 115, 136, 160, 187.¹

- The government's motion to preclude the defendant from introducing his own self-serving and false exculpatory statements made during his post-arrest interview in Bulgaria. See ECF Nos. 94, 108, 115.
- The government's motion to permit Witness 2 to testify by live two-way video teleconference. See ECF Nos. 162, 199, 243, 248.

In addition, also pending before the Court are the parties' proposed modifications to the jury questionnaire. See ECF Nos. 176, 193, 197.

Respectfully submitted,

MARK J. LESKO
Acting United States Attorney

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cc: Clerk of the Court (EK) (via ECF)
All counsel of record (via ECF)

¹ The government also filed motions for a more complete expert disclosure for defense expert Kenneth Wong and for permission to cross-examine Mr. Wong on his prior conviction. See ECF No. 136, 160, 187. The defendant has since represented to the government that he does not intend to call Mr. Wong as a defense witness. The government respectfully requests expert notice and disclosures for any expert witness that the defendant may call in the defense case. See Fed. R. Crim. P. 16(b)(1)(C).